

**SECOND ENGROSSMENT
with Senate Amendments
REENGROSSED HOUSE BILL NO. 1073**

Introduced by

Judiciary Committee

(At the request of the Department of Environmental Quality)

1 A BILL for an Act to create and enact a new section to chapter 23-01 and a new section to
2 chapter 23.1-01 of the North Dakota Century Code, relating to criminal history background
3 checks for applicants for licenses and permits issued by the state department of health and the
4 department of environmental quality; and to amend and reenact subdivisions n and vv of
5 subsection 2 of section 12-60-24 of the North Dakota Century Code, relating to criminal history
6 record checks.

7 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

8 **SECTION 1. AMENDMENT.** Subdivision n of subsection 2 of section 12-60-24 of the North
9 Dakota Century Code is amended and reenacted as follows:

10 n. The state department of health for a final applicant for ~~or an employee in a~~
11 ~~specified occupational job opening or a current employee~~ with the department as
12 designated by the state health officer; an individual being investigated by the
13 department; or, when requested by the department, an applicant for registration,
14 certification, or licensure by the department as a designated caregiver or a
15 compassion center agent under chapter 19-24.1.

16 **SECTION 2. AMENDMENT.** Subdivision vv of subsection 2 of section 12-60-24 of the North
17 Dakota Century Code is amended and reenacted as follows:

18 vv. The department of environmental quality for a final applicant for ~~or an employee~~
19 ~~specified in occupational job opening or a current employee~~ with the department;
20 an individual being investigated by the department; or, when requested by the
21 department, an applicant for registration, certification, or licensure by the
22 department a radioactive materials license under chapter 23.1-03 or a solid waste
23 permit under chapter 23.1-08.

1 **SECTION 3.** A new section to chapter 23-01 of the North Dakota Century Code is created
2 and enacted as follows:

3 **Criminal history background checks.**

4 The state department of health may require a final applicant for a job opening or a current
5 employee with the department, as designated by the state health officer, complete a state and
6 national criminal history record check as provided under section 12-60-24.

7 **SECTION 4.** A new section to chapter 23.1-01 of the North Dakota Century Code is created
8 and enacted as follows:

9 **Criminal history background checks.**

10 The department may require an applicant for a license or permit to complete a state and
11 nationwide criminal history record check as provided in section 12-60-24. If the applicant is not
12 an individual, the department may require an individual responsible for the applicant to
13 complete a state and a nationwide criminal history record check as provided in section
14 12-60-24. The applicant or responsible individual shall submit personal information and
15 fingerprints with the application necessary to complete the state and nationwide criminal history
16 background record check. All costs associated with the state and nationwide criminal history
17 record check are the responsibility of the applicant.